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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

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HOLLY LYNN COMISH,

Plaintiff,

v.

DAVIS BEHAVIORAL HEALTH, JULANA  
NOEL SCHENK, M.D., and JEFFREY M.  
DALLEY, LCSW,  
Defendants.

MEMORANDUM DECISION and  
ORDER ADOPTING REPORT &  
RECOMMENDATION and DISMISSING  
CASE WITHOUT PREJUDICE

Case No. 1:11-CV-171-DN-BCW

District Judge David Nuffer

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On August 6, 2012, Magistrate Judge Brooke Wells issued a Report and Recommendation<sup>1</sup> that this Court dismiss Plaintiff's Complaint<sup>2</sup> without prejudice. In accordance with Rule 72(b), the parties have been given 14 days to "file specific written objections to the proposed findings and recommendations."<sup>3</sup> Neither party has filed an objection.

Having reviewed all relevant materials, including the reasoning set forth in the magistrate judge's Report and Recommendation, the court adopts the Report and Recommendation.

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<sup>1</sup> Docket no. 29.

<sup>2</sup> Docket no. 3.

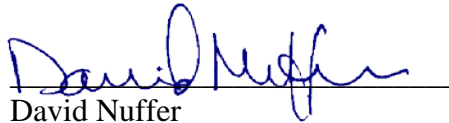
<sup>3</sup> Fed. R. Civ. P 72(b)(2).

IT IS HEREBY ORDERED that the Report and Recommendation is ADOPTED.

IT IS FURTHER ORDERED that the Complaint is DISMISSED WITHOUT  
PREJUDICE. The Clerk is directed to close the case.

Dated August 23, 2012.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "David Nuffer", is written over a horizontal line.

David Nuffer  
United States District Judge